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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/697,625	10/30/2003	Anthony Wong	20341-72632	7292
23643	7590	03/10/2005	EXAMINER	
BARNES & THORNBURG 11 SOUTH MERIDIAN INDIANAPOLIS, IN 46204			HUNNINGS, TRAVIS R	
			ART UNIT	PAPER NUMBER
			2632	

DATE MAILED: 03/10/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

# Office Action Summary

Application No. **A**

10/697,625

Applicant(s)

WONG ET AL.

Examiner

Travis R Hunnings

Art Unit

2632

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

## Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

## Status

- 1) ☒ Responsive to communication(s) filed on 30 October 2003.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

## Disposition of Claims

- 4) ☒ Claim(s) 1-26 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-26 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

## Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 30 October 2003 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

## Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

## Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_\_.
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_\_.

## DETAILED ACTION

### ***Claim Objections***

1. Claim 25 is objected to because of the following informalities: the claim is written to depend on claim 26, which has not yet been disclosed; the claim should be rewritten to depend from a previously written claim. The claim will be judged on merit as if it were dependent on claim 24. Appropriate correction is required.

### ***Claim Rejections - 35 USC § 103***

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

3. Claims 1-3, 8-12, 15, 19, 20 and 22-24 are rejected under 35 U.S.C. 103(a) as being unpatentable over Kyte (US Patent 6,313,733) in view of Newman (US Patent 6,091,329) and further in view of Rye et al. (Rye; US Patent 6,744,463).

Regarding claim 1, Kyte discloses *Child Pager System* that has the following claimed subject matters:

The claimed plurality of transmitters for transmitting audio at different frequencies from different locations is met by the pager units that transmit panic signals on a plurality of different frequencies (col2 13-25);

The claimed at least one receiver remote from the transmitters for receiving and announcing the transmitted audio from the plurality of transmitters is met by the transmitter unit receiving panic signals from the pager units (abstract, col2 13-25 and 46-63);

However, Kyte does not specifically disclose the claimed receiver remote from the transmitters announcing the transmitted audio from the plurality of transmitters. The device of Kyte provides a local recording and playback means for each of the plurality of pager units but does not specifically disclose a means for transmitting that audio to the transmitting unit. Newman discloses *Monitor/Hands-Free Intercom* that teaches a parent and child transceiver system that automatically transmits the sound detected at a child unit to the receiver of a parent unit (abstract and col4 14-36). Modifying the device of Kyte to include means for transmitting the sound recorded at the pager units to the transmitter unit would be beneficial because at times when the user of the pager unit is in distress he/she might not be able to activate the recording means on the pager unit and it also provides a real-time reporting of the recorded sounds instead of having to wait until the pager unit is retrieved to hear the recorded message. Therefore it would have been obvious to one of ordinary skill in the art at the time of the invention to modify the device disclosed by Kyte according to the teachings of Newman to announce the transmitted audio, at the transmitter unit, from the plurality of pager units.

However, Kyte and Newman still do not specifically disclose the claimed remote child monitoring system comprising the receiver having a first mode for sequentially announcing the transmitted audio from the transmitters and a second mode for announcing the audio from a selected transmitter. Rye discloses *Multi-Camera Surveillance And Monitoring System* that teaches a main unit that receives monitoring signals (in the form of video feeds) from a plurality of monitoring units; the system either automatically cycles through each of the monitoring units for a short period of time each or selectively monitors a user-selected monitoring unit (col2 2-6 and 40-52). Modifying the device of Kyte and Newman to have two modes of monitoring, one mode for sequentially cycling through the child transceiver units and a separate mode for selectively monitoring a particular monitoring unit would provide the user with an easy way to monitor all of the units at one time and also provide the capability to listen to a particular child unit more closely when needed. Therefore it would have been obvious to one of ordinary skill in the art at the time of the invention to modify the device disclosed by Kyte and Newman according to the teachings of Rye to have two modes of monitoring, one mode for sequentially cycling through the child transceiver units and a separate mode for selectively monitoring a particular monitoring unit.

Regarding claim 2, the claim is interpreted and rejected as claim 1 stated above.

Regarding claim 3, the claim is interpreted and rejected as claim 1 stated above.

Regarding claim 8, the claim is interpreted and rejected as claim 1 stated above.

The claimed receiver in the first mode announcing the audio for each transmitter for a period of 3 to 10 seconds is met by the system monitoring each particular monitored area for a short period, e.g. 5 seconds (Kyte: col4 46-63). It would be a user's choice to define the particular time period, and the claimed 3 to 10 seconds falls within a "short period".

Regarding claim 9, Kyte, Newman and Rye disclose all of the claimed limitations.

The claimed system wherein the transmitters transmit continuously when turned on is met by the child transceiver unit transmitting the sound it receives (Newman: abstract and col5 57-62).

Regarding claim 10, Kyte, Newman and Rye disclose all of the claimed limitations. The claimed receiver including indication of which transmitter is being announced is met by the indicator lights that display which pager (child) unit is communicating with the transmitter (parent) (Kyte: col4 63-67).

However, Kyte does not specifically disclose the claimed system wherein the transmitter includes a switch to select one of at least two frequencies of transmission. Newman teaches transceiver units being able to operate at either of two selectable radio frequencies (col5 44-56). Adding means to select between one of two operating radio frequencies to the device of Kyte would allow the user to choose a clear radio frequency in the case that multiple devices in the area were trying to use a particular

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radio frequency. Therefore it would have been obvious to one of ordinary skill in the art at the time of the invention to modify the device disclosed by Kyte according to the teachings of Newman to include a switch to select one of at least two frequencies of transmission.

Regarding claim 11, Kyte discloses all of the claimed limitations except for the claimed system wherein the receiver includes a switch to select one of at least two frequencies of transmission for each of the transmitters. Newman teaches transceiver units being able to operate at either of two selectable radio frequencies (col5 44-56). Adding means to the transmitter unit to select between one of two operating radio frequencies to the device of Kyte would allow the user to choose a clear radio frequency in the case that multiple devices in the area were trying to use a particular radio frequency. Therefore it would have been obvious to one of ordinary skill in the art at the time of the invention to modify the device disclosed by Kyte according to the teachings of Newman to include a switch to select one of at least two frequencies of transmission.

Regarding claim 12, Kyte, Newman and Rye disclose all of the claimed limitations. The claimed receiver including indication of which transmitter is being announced is met by the indicator lights that display which pager (child) unit is communicating with the transmitter (parent) (Kyte: col4 63-67).

Regarding claim 15, the claim is interpreted and rejected as claim 12 stated above.

Regarding claim 19, Kyte, Newman and Rye disclose all of the claimed limitations. The claimed system including a control for selecting between the modes and selecting the transmitter in the second mode is met by the selection buttons of the remote of Rye selectively choosing which remote area to monitor and a separate button to select the sequential monitoring mode (Rye: col3 57-67, col4 1-8 and 46-63).

Regarding claim 20, the claim is interpreted and rejected as claim 19 stated above.

Regarding claim 22, Kyte, Newman and Rye disclose all of the claimed limitations. The claimed system wherein the transmitter and the receivers are portable and include a battery source are met by the rechargeable battery (Kyte: col5 7-11).

Regarding claim 23, Kyte, Newman and Rye disclose all of the claimed limitations. The claimed system wherein the transmitter and the receivers include a power source of one of a battery and a plug for a power outlet is met by the power source having an ac outlet plug and also a rechargeable battery (Kyte: col5 7-11).



Regarding claim 24, the claim is interpreted and rejected as claim 1 stated above.

4. Claims 4-7 are rejected under 35 U.S.C. 103(a) as being unpatentable over Kyte in view of Newman further in view of Rye and further in view of Osborne et al. (Osborne; US Patent 6,650,241).

Regarding claim 4, Kyte, Newman and Rye disclose all of the claimed limitations except for the claimed system including at least two receivers, each having the first and second modes. Osborne discloses *Child Safety Device* that teaches using multiple receiver units that can pick up the monitored units signals (col2 33-36). Adding at least another receiver to the system of Kyte, Newman and Rye would allow the user to place the receiver units in a plurality of areas that they are most likely to be around when they need to be monitoring the monitored areas; they would also be able to leave one stationary while they take another with them so that two parents would monitor the devices at the same time. Therefore it would have been obvious to one of ordinary skill in the art at the time of the invention to modify the device disclosed by Kyte, Newman and Rye according to the teachings of Osborne to include at least two receivers, each having the first and second modes.

Regarding claim 5, the claim is interpreted and rejected as claim 4 stated above.

Regarding claim 6, Kyte, Newman, Rye and Osborne disclose all of the claimed limitations. The claimed system wherein at least one of the receivers is portable is met by the device being used to monitor pager units held by multiple users (e.g. children) (Kyte: abstract).

Regarding claim 7, Kyte, Newman, Rye and Osborn disclose all of the claimed limitations. The claimed system wherein at least one of the receivers has a transmission mode is met by the transmitter unit being able to "page" the pager units and provide them with a signal that action is required by the user of the pager unit (Kyte: abstract)

5. Claims 13, 14, 17 and 18 are rejected under 35 U.S.C. 103(a) as being unpatentable over Kyte in view of Newman further in view of Rye and further in view of Gooch (UK Patent Application GB 2,366,943 A).

Regarding claim 13, Kyte, Newman and Rye disclose all of the claimed limitations except for the claimed receiver including indication of the level of the audio being received. Gooch discloses *Baby Monitoring Unit Indicating Sound Amplitude Via Variable Light Intensity* that teaches indicating the level of sound received from the monitored unit using light emitting diodes (abstract). Adding LEDs to the device of Kyte, Newman and Rye to indicate the level of sound received from the child transceiver unit would allow the user to get a better understanding, both visually and audibly, of the

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volume of the sound being monitored. Therefore it would have been obvious to one of ordinary skill in the art at the time of the invention to modify the device disclosed by Kyte, Newman and Rye according to the teachings of Gooch to include indication of the level of audio being received.

Regarding claim 14, the claim is interpreted and rejected as claim 13 stated above. The claimed indication of the level of audio being announced is directly related to the level of audio being received and would therefore be the same level of indication as that in claim 13.

Regarding claim 17, the claim is interpreted and rejected as claim 13 stated above.

Regarding claim 18, the claim is interpreted and rejected as claim 13 stated above. The LEDs that are used to indicate the sound level received are arranged in a group.

6. Claims 16 and 26 are rejected under 35 U.S.C. 103(a) as being unpatentable over Kyte in view of Newman further in view of Rye and further in view of Witzel (US Patent 4,019,737).

Regarding claim 16, Kyte, Newman and Rye disclose all of the claimed limitations except for the claimed system wherein each transmitter has a different color housing, and the indicators have a corresponding color. Witzel discloses *Football Game Board* that teaches the color coordinating of indicators to particular areas of a device (col2 54-63). Coloring the housings of the child transceiver units and using coordinated color LEDs to indicate which child unit is transmitting at that particular time would help the user to determine more quickly which particular child unit was transmitting at that particular time. Therefore it would have been obvious to one of ordinary skill in the art at the time of the invention to modify the device disclosed by Kyte, Newman and Rye according to the teachings of Witzel so that each transmitter has a different color housing, and the indicators have a corresponding color.

Regarding claim 26, the claim is interpreted and rejected as claim 16 stated above.

7. Claims 21 and 25 are rejected under 35 U.S.C. 103(a) as being unpatentable over Kyte in view of Newman further in view of Rye and further in view of Griesau et al. (Griesau; US Patent 6,507,306).

Regarding claim 21, Kyte, Newman and Rye disclose all of the claimed limitations except for the claimed system wherein the second buttons are translucent and lit when the corresponding transmitter is being announced. Griesau discloses

*Universal Remote Control Unit* that teaches illuminating translucent buttons when they are pressed to indicate a particular mode of operation (col4 32-35). Modifying the buttons of Kyte, Newman and Rye to be translucent and to light up when that particular child unit is transmitting would help the user to determine more quickly which particular child unit was transmitting at that particular time. Therefore it would have been obvious to one of ordinary skill in the art at the time of the invention to modify the device disclosed by Kyte, Newman and Rye according to the teachings of Witzel so that the buttons would be translucent and lit when the corresponding transmitter is being announced.

Regarding claim 25, the claim is interpreted and rejected as claim 21 stated above.

### ***Conclusion***

8. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Henderson et al. USP 6,072,392

Altenhofen, USP 6,043,747

Fitzgerald et al. USP 6,766,145

Bornstein, USP 6,593,851

Law, USP 5,768,696

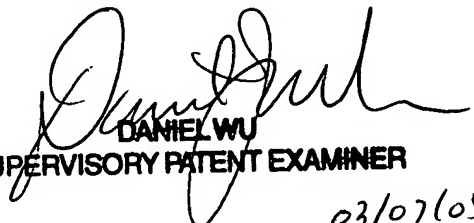
Abrams et al. USP 5,512,880

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Travis R Hunnings whose telephone number is (571) 272-3118. The examiner can normally be reached on 8:00 am - 5:00 pm M-F.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Daniel J Wu can be reached on (571) 272-2964. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

TRH

  
DANIEL WU  
SUPERVISORY PATENT EXAMINER  
03/07/05